

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)

Docket No.
140525

In Re Application Of: Miller et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/707,775	January 12, 2004	John Fernando Ramirez	23413	3737	1774

Invention: RESPIRATORY MEASUREMENT SYSTEM AND METHOD RELATED THERETO



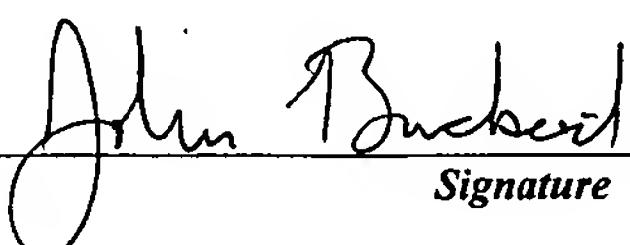
COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated April 24, 2006 finally rejecting Claim(s) 1-20

The fee for this Notice of Appeal is: \$500.00

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 07-0845
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: July 24, 2006

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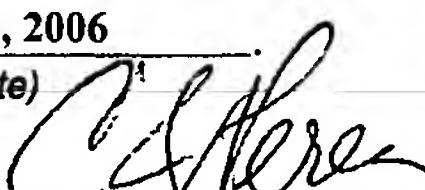
08/03/2006 JBALINAN 00000102 070845 10707775

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on July 24, 2006

(Date)



Signature of Person Mailing Correspondence

Cathy J. Perez

Typed or Printed Name of Person Mailing Correspondence



July 24, 2006

Via First Class Mail

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: United States Patent Application
Inventor: Miller et al.
Entitled: RESPIRATORY MEASUREMENT SYSTEM AND
METHOD RELATED THERETO
Serial No. 10/707,775
Filed: January 12, 2004
Attorney Docket No: 140525

Sir:

We enclose herewith:

Notice of Appeal From The Primary Examiner To The
Board of Patent Appeals and Interferences (Large Entity)
 Acknowledgment Postcard

The Commissioner is hereby authorized to charge payment of the fees
associated with this communication or credit any overpayment to Deposit
Account No. 07-0845.

Applicant hereby petitions under 37 CFR 1.136 and other applicable rules
to have the response period extended the number of months necessary to
render the attached communication timely in the event a petition is
required.

Respectfully submitted,

John F. Buckert
Reg. No. 44,572

I hereby certify that this paper is being deposited with the United States Postal Service via first
class mail, postage prepaid, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450, on July 24, 2006.

Cathy J. Perez